IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UNITED STATES OF AMERICA,) | | | |
|-----------------------------|--|---|--|
| | Plaintiff, |) 8:11CR286) | |
| | vs. |) DETENTION ORDER | |
| JE | SSE LOPEZ, | | |
| | Defendant. |) | |
| A. | Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on October 19, 2011, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i). | | |
| B. | Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. | | |
| C. | violation of 18 U.S.C. § 3 8 U.S.C. § 1325(c); and the United States (Coun each count carrying imprisonment. (b) The offense is a crime of the offense involves a result of the count carrying imprisonment. | es Report, and includes the following: ne offense charged: cy to commit marriage fraud (Count I) in 171; marriage fraud (Count II) in violation of making false statements to an agency of ts III - VI) in violation of 18 U.S.C. § 1001, a maximum sentence of five years f violence. | |
| | may affect whet The defendant I The defendant I X The defendant I The defendant I The defendant is The defendant I The defendant I X The defendant I The defendant I The defendant I The defendant I | appears to have a mental condition which ther the defendant will appear. That has no family ties in the area. That has no steady employment. That has no substantial financial resources. It is not a long time resident of the community. The defendant: violations of probation. That has a history relating to drug abuse. That has a significant prior criminal record. That has a prior record of failure to appear at | |

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| (b) | At the time of the current arrest, the defendant was on: |
|------------------|---|
| | Probation |
| | Parole |
| | Supervised Release |
| (c) | Other Factors: |
| , , | The defendant is an illegal alien and is subject to deportation. |
| | The defendant is a legal alien and will be subject to deportation if convicted. |
| | The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other: |
| `´ releas | nature and seriousness of the danger posed by the defendant's se are as follows: the nature of the charges in the Indictment, the dant's criminal history; and the defendant's substance abuse history. |
| Additional Direc | ctives |
| | ISC 8 3142(i)(2) (4) the Court directs that: |

D.

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 19, 2011. BY THE COURT: s/Thomas D. Thalken

United States Magistrate Judge